

CHURCH AND STATE

A MONTHLY REVIEW



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FEBRUARY 1953

Parochial School Is 'Teacher's Pet' to Some Education Boards

The following report on the deterioration of a local public school system in the state of Kentucky is typical of a process now taking place in many parts of the United States. This account was furnished to POAU by one of its members who resides in the state:

"Bradfordsville, Marion County, Kentucky, High School Problem"

"Some years ago as a result of a survey conducted by the State Board of Education of Kentucky, Bradfordsville and St. Charles were designated as desirable locations for high schools in Marion County.

"There is now at St. Charles a modern and splendidly equipped new building with enrollment of more than 200 pupils. Courses in vocational training and business are provided. There are about fifteen Roman Catholic Sisters on the teaching staff of this school alone. The building is property of the County Board of Education. About six miles distant is another high school conducted in a building rented from the Roman Catholic Church. It has about nine teachers, all of whom are Sisters. There are thus two schools well supported in the western section of the county, which has a population predominantly Roman Catholic. Bus routes are so scheduled as to convey pupils from various sections of the county to these schools.

Stepchild

"In the other end of the county, an agricultural section equal to or superior to the western end and with a predominantly Protestant population, there is a struggling high school at Bradfordsville, with only three teachers and threatened with closing at the end of the 1954 session unless minimum attendance is 100. No sym-

pathy is shown by the superintendent or the Board of Education to requests for cooperation in efforts to build up attendance and provide for the east end of the county a school equal to that at St. Charles in the west end of the county. Bus schedules are so arranged as to hold attendance to a restricted area while courses in vocational training have been taken away. Bus schedules make it possible for pupils living only two miles from Bradfordsville to attend the St. Charles school about fifteen miles distant. Certain pupils wishing to come to Bradfordsville school and living in that section of the county are denied transportation to this school.

"For the fiscal year ending June 30, 1951, the County Board paid to the city of Lebanon, an independent district, \$9,456.15 for tuition for pupils largely from the east end of the county. The superintendent avers that they prefer to go to Lebanon because of the larger school, better courses, and better equipment. The same is claimed in sending some pupils to St. Charles. But the plea of Bradfordsville residents for adequate equipment, courses, and bus routes is ignored. There is not a typewriter for any purpose in the Bradfordsville school, while there were 39 in the St. Charles school last year. The Bradfordsville school is being dismantled while lavish expenditures are made at St. Charles. Notwithstanding the plea of the superintendent for consolidation, it is obvious that one well-

POAU Officers Plan Grass Roots Drive

Delegates attending the Fifth National Conference on Church and State re-elected President Edwin McNeill Poteat and the members of the National Advisory Council and the Board of Trustees to serve new two-year terms. The Rev. Carl S. Winters, pastor of the First Baptist Church of Oak Park, Ill., was elected a new member of the National Advisory Council.

A primary goal in 1953 will be to expand POAU activities in all the communities—north, south, east, and west—where members of the National Advisory Council are in a position to facilitate the discussion of church-state issues and the prosecution of court actions to stop sectarian misuse of public funds.

equipped centrally located and entirely non-sectarian high school for the entire county is the policy of neither Board nor superintendent.

Elaborate Publicity

"At the commencement of 1952, 87 eighth graders from Calvary, Ray-wich, St. Joseph, Howardstown, and St. Charles schools were assembled at St. Charles (taught by Sisters) for registration and orientation. Elaborate accounts were published in the local newspaper. About 40 pupils graduating from an elementary school in the east end of the county were carried to the Lebanon Independent High School for similar purposes. No attention whatever was given the Bradfordsville school and no effort was made to interest potential students in that school. . . .

"A real emergency faces the residents of the east end of Marion County. If the high school at Bradfordsville is closed it will mean that a large majority of the boys and girls in that large section will never get a high school education."

Italian Preacher Lacked 'Permit'; Fined by Court

A 5,000-lire fine (about \$12.80) and a suspended 15-day jail sentence were imposed on Lido Petrini at Alesandria, Italy, on January 8 for having held a religious meeting without police permission. The fine amounted to about forty days of Petrini's army pay, and it was imposed on the 31-year-old evangelist as he appeared in court in his soldier's uniform. (He entered the army recently.) An appeal was immediately filed by the American-led Church of Christ, with which Petrini is affiliated. The defendant had been arrested on September 4.

In the meantime, the Federal Council of Italian Evangelical Churches has recommended establishment of a special legal office to protect Protestants from "recurring intolerance." The Council's international affairs committee said a "careful analysis of the religious freedom situation in Italy" revealed that the government is enforcing Fascist laws of 1929 and 1930 against Protestants in spite of the fact that "Italian magistrates have declared repeatedly that [such laws] are implicitly abrogated" by the Constitution of 1947.

POAU Leaders Cite Five-Year Record

A review of POAU's work from the beginning of its existence, together with an analysis of current issues in church-state relations, is contained in the statement issued by the Board of Trustees and the National Advisory Council at the Fifth National Conference on Church and State. Excerpts from the statement, which is entitled "After Five Years," follow:

"On this, the fifth anniversary of Protestants and Other Americans United for Separation of Church and State, it seems fitting to review its activities, to state its principles, and especially to look afresh at the situation it now confronts in its purpose to assure the maintenance of religious liberty in the United States. This is the single and only purpose of this organization. It conceives the separation of church and state as the legal guarantee of religious liberty. Its purpose was so declared in a Manifesto with which the birth of POAU was publicly announced five years ago. The Manifesto clearly and firmly disavowed any motivation due to religious prejudice—Protestant, Roman Catholic, Jewish, or any other—and called upon all Americans as patriotic citizens to join in

Midwestern Cities Hear Archer Report

Executive Director Glenn L. Archer, in a series of addresses outlining the problems dealt with at POAU's Fifth National Conference, spoke daily during the last week in January in St. Louis, Kansas City, and St. Joseph, Mo.; Omaha, Nebr.; Council Bluffs and Des Moines, Ia.; Chicago, Ill.; and East Chicago, Ind. Among those who cooperated in arranging the meetings were the Rev. Dr. Adiel J. Moncrief of St. Joseph; the Rev. Dr. Vernon Rice of Council Bluffs; the Rev. Dr. Ralph T. Cobb of Des Moines; and the Rev. Dr. Theodore N. Johnson of East Chicago.

resistance to every violation of or encroachment upon religious liberty wherever and from whatever source this most precious of all our liberties was being flouted or threatened by any form of union between church and state.

"From its beginning until now, POAU has strictly adhered to this single purpose. We have carefully distinguished between *separation* of church and state and *cooperation* of church and state. We recognize that much cooperation has always existed without violating the principles of separation, and that other forms of cooperation may be desirable. However, we maintain that separation is essential to such cooperation, and that any union of church and state would vitiate it. We conceive the *union* of church and state as the interlocking or fusion (to use Justice Frankfurter's term) of the official processes of government with the official processes of any church or

(Continued on page 5)

TALKING THINGS OVER ON JAN. 15



A brisk five-way conversation during one of the relatively quiet moments of the Fifth National Conference on Church and State is carried on (above, left to right) by Fague Springmann, baritone; President Charles J. Turck of Macalester College, St. Paul, Minn.; the Rev. Leland F. Stark, Church of the Epiphany, Washington; POAU President Edwin McNeill Potent; and POAU Organization Director John C. Mayne.

Church and State

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CHURCH AND STATE

NEWS From Far and Near

◆ The government of Norway is seeking parliamentary repeal of an old article in the country's constitution barring proselytizing by the Society of Jesus (Jesuits). Dating back to 1814, Article Two originally stated: "Jesuits and other monkish orders shall not be tolerated here; moreover, Jews are strictly prohibited from entering the country." The bars against Jews and "other monkish orders" were eliminated in 1851 and 1897, respectively, but the one against the Jesuits still remains in effect. Repeal must be voted by a two-thirds majority of parliament.

◆ District of Columbia officials have been praised by the Washington *Daily News* for applying fire and safety regulations impartially during the festivities attending the inauguration of President Eisenhower—in contrast, the newspaper noted, to the behavior of the same officials when they waived such regulations for the Rev. Billy Graham, who sought spectacularly large crowds at his evangelical meetings in the Armory of the capital last year. "... if the Armory's safety regulations were sound," said the *News*, "they should apply to Billy Graham's crowd as well as any other."

◆ A bill to exempt churches from the state sales tax has been introduced into the South Carolina Legislature.

◆ Municipal sponsorship of a civic reception welcoming James Francis McIntyre, newly-appointed Roman Catholic cardinal, back from Rome, has been protested by the (Los Angeles) Southwest Area of the National Association of Evangelicals. The group objected specifically to the assignment of a salaried city employee to service television facilities at the reception, and said that such "recognition to one religious segment" was not in keeping with the principle of separation of church and state.

◆ Orthodox religious leaders in Israel are asking the government to prohibit the raising of pigs by any but non-Jewish residents.

◆ A "prayer-substitute" proposal recently adopted by the New York City Board of Education has been characterized as "A Dangerous Precedent" by the American Jewish Congress, which, in its *Congress Weekly* magazine, declared on January 26: "... the fourth verse of the patriotic hymn, 'America,' is essentially a religious hymn in its substance and motivation. ... those who pressed for the decision [to make the singing of that stanza mandatory] were seeking the introduction of a religious exercise into the schools. ... The most difficult barrier to surmount in an attempt to abrogate constitutional tradition and practice is always the first one. And this first barrier has now been removed by the Board of Education's action. Its result may well be ultimately to bring into the public school influences and pressures which will threaten the existence of the non-sectarian public school system. ..."

◆ Money left by the late Henry George Allen to a relative who would have to be "a member of the Church of England" posed a problem recently for British jurisprudence. The judge sitting on the case ruled that clause in the will void because of the impossibility of determining legally the precise meaning of the phrase. The court held that the phrase could mean almost any parishioner who had rights of baptism, marriage, and burial; or one who was a regular churchgoer and on the electoral roll; or one who adhered to the "doctrine" of the Church of England as it had been conceived by the mind of the deceased. At any rate, the court held that these were not matters which the law could properly decide.

◆ Anyone "attempting to weaken Catholic unity" in the national elections next spring will be assuming "heavy responsibilities," Italian Catholic Action warned recently as it directed its members to prepare to perform their "right and duty" as voters in accordance with papal instructions.

◆ A bill to ban the sale of the Revised Standard Version of the Bible in Michigan has been filed in the state legislature by Senator A. P. Decker of Deckerville. Other legislators immediately attacked the proposal as a move to curtail religious liberty.

Two Teachings

"Pius XII has recognized that 'no one believes unless he wills to believe,' and that forced conversion does not make a good Christian: 'whenever it happens, despite the constant teaching of this Apostolic See, that anyone is compelled to embrace the Catholic faith against his will, our sense of duty demands that we condemn the act.' But overconfidence may employ subtler methods than force, as Protestant missionaries to Catholic countries well know. The recent record of the Church in Italy, Spain, and Latin-American nations (where Catholicism is predominant) suggests these alternatives: either little heed is paid to Pius's teachings on this point, which appears most unlikely; or there are two teachings, one public for propaganda purposes, one private for guidance of the hierarchy."—John P. McKnight in "THE PAPACY: A New Appraisal," New York, Rinehart, 1952, 437 pp., \$5.00.

Vatican Wants Hitler Concordat Enforced

A move to incorporate the 1933 Hitler-Vatican concordat into the new constitution of the West German state of Wuerttemberg-Baden has been rejected by a slight majority in the constituent assembly. The vote came in connection with a plank in the draft constitution which was denounced by Archbishop Aloysius J. Muensch, papal nuncio for West Germany. Archbishop Muensch is an American who comes from Fargo, N. D.

The provision opposed by Archbishop Muensch would introduce so-called Christian community (interdenominational) public schools, as distinguished from the confessional (denominational) schools heretofore supported by the state. An official note from the Nunciature to the Wuerttemberg-Baden government and the foreign office of the West German Federal Republic declared that the draft constitution's school clauses violated the concordat signed in July, 1933, by Eugenio Cardinal Pacelli, then papal nuncio and now Pope Pius XII, and Franz von Papen, Hitler's vice-chancellor.

Dr. Reinhold Maier, minister-president of Wuerttemberg-Baden, disputed Archbishop Muensch's contention that the concordat was still valid, pointing out that no other West German state had officially recognized the agreement within the framework of its constitution, and that this was the first time that the Roman Catholic Church had voiced a claim to such recognition.

Priest Works for Wider Censorship in Minnesota

More than 300 books and magazines, including works by William Faulkner, Somerset Maugham, Lillian Smith, Richard Wright, Budd Schulberg, and Thomas Heggen, have been banned by a municipal board of review in St. Cloud, Minn. Two members of the board are clergymen, and the Rev. Richard M. Wey, a Roman Catholic priest of Foley, Minn., claims to have been instrumental in bringing about the new and sweeping censorship program. The Minneapolis *Star* has compared the program to "a stone cast into a pool," spreading "ripples" throughout the state.

Secret Meetings

The St. Cloud censorship board met in secrecy until recently, when the city adopted a new charter requiring open meetings of all city boards. Members are reported to use as a "working code" the list of books condemned by the (Roman Catholic) National Organization of Decent Literature, counterpart in the literary field of the film-appraising Legion of Decency.

Mrs. Elmer Barg, a Roman Catholic grandmother and grocery store manager, led the campaign for enactment of the St. Cloud censorship ordinance three years ago. Centering her attention on "objectionable" comic books, she worked in harmony with the editor of the St. Cloud (Roman Catholic) *Register*, the Rev. Roger L. Vossberg, Mayor Math. Malisheski, and the Rev. Ray Anderson of St. Cloud's First Baptist Church. The resulting ordinance made it unlawful, on penalty of \$100 or 90 days in jail for each offense, "to sell, offer for sale, display, display for sale, print, distribute or offer for distribution, any comic book, magazine, paper, book, or other publication within the city of St. Cloud, which prominently features" accounts of "horrors, robberies, murders, arson, assault . . . , burglary, kidnaping, mayhem, rape, theft, voluntary manslaughter, ridicule of law enforcement or parental authority; or is obscene, immoral . . . or ridicules any person or persons by reason of race, creed, or color; or advocates un-American or subversive activities."

The St. Cloud censorship pattern has been copied in Sauk Rapids, Foley, Hibbing, and Faribault. Backers of the law say that there have been no prosecutions because they

(Continued on page 8)

LEADING THE BATTLE FOR FREEDOM



Edward H. DeGroot, Jr.



Joseph M. Dawson

(The brief portrait sketches below are part of a series which will include, when completed, all the officers and members of POAU's executive committee. Others will appear in subsequent issues of Church and State.)

Edward H. DeGroot, Jr., treasurer and member of POAU's executive committee, spent his first 31 years of business activity in railroad service, including 19 years as an operating officer. His next 24 years were in the service of the Interstate Commerce Commission in Washington, D. C. During this period he served in various capacities, including director of the Bureau of Signals and Train Control Devices, and director of the Commission's Bureau of Service. During the United States Railroad Administration Mr. DeGroot was an assistant manager of its Car Service Section, and then assistant director, Division of Operations, until the roads were returned to the corporations. He is a past-president of the American Association of Railroad Superintendents, past-moderator of the District of Columbia Baptist Association (now Convention), treasurer and member of the executive committee of the Baptist Joint Committee on Public Affairs, a trustee of the District of Columbia Baptist Home for Women, vice-president and member of the executive committee of Central Union Mission, a director of the Washington City Bible Society, and a former vice-president of the Washington Y.M.C.A. He is a member of the National Baptist Memorial Church of Washington and chairman of its board of deacons and board of trustees. His unstinting labors as POAU treasurer date from the time the organization was founded. To all who know him, Mr. DeGroot's diligence and efficiency are phenomenal.

One of the most effective religious leaders in Washington today is Dr. Joseph M. Dawson, executive director of the Baptist Joint Committee on Public Affairs and recording secretary of POAU. Born at Maypearl, near Waxahachie, Tex., on June 21, 1879, he came up the hard way. At 19, he was working as a door-to-door vegetable salesman in central Texas to help support a family of 13 children, of whom he was the oldest. A few years later, at the turn of the century, he had become founder and editor of the *Daily Lariat* of Baylor University—a university in which he had enrolled "on pure faith—I didn't have a dime." This was some time after he had preached his first sermon at a little Baptist church in Italy, Tex., and had been offered—but declined—a job as reporter for the *Dallas News*. He held pastorates successively at Lampasas, Hillsboro, Temple, and Waco, Tex., edited the *Baptist Standard*, directed publicity for the \$75,000,000 Southern Baptist state drive from 1919 to 1924, served on the Draft Commission in World War I, chaired the Southern Baptist World Peace Commission, served on the late Secretary Forrestal's civilian advisory committee to the Navy in 1946, and represented U. S. Baptists at the San Francisco Conference of the United Nations. To further the cause of separation of church and state—his greatest passion—Dr. Dawson served as acting director of POAU when the organization was but an infant. Macmillan will soon publish his latest work, *America's Way in Church, State and Society*.

CHURCH AND STATE

POAU's 5 Years Reviewed by Trustees, National Advisors

(Continued from page 2)

churches. Such a union would be a violation of the First Amendment of the Constitution, a compromise of the religious liberty of the church or churches which accepted it, a betrayal of the religious liberty of all other churches, and a barrier to the sound cooperation of church and state. Upon these principles POAU has directed its activities from the beginning, and will continue to do so.

"The notable achievements of POAU in aiding many communities and sections to secure from the courts legal redress of flagrant violations of the law, and its vigilant activity in bringing public opinion to bear upon national, state, and local authorities to prevent legislation and government action that would violate the principle of church-state separation have been duly reported from year to year to the Trustees and the Advisory Board of the organization. . . .

"But during this period much has happened both to clarify and to confuse the issue between the opponents and defenders of the constitutional principle which POAU is dedicated to maintain. These developments involve both Protestants and Roman Catholics—certain Protestant leaders who hold lightly the constitutional principle of church-state separation, and the Roman Catholic hierarchy which frankly opposes it. . . .

Churches and Schools

"On the Protestant side, we have to note the fact that at the time POAU was launched, the major instance, if not the first in our history, when Protestantism had to defend itself against the charge of violating the separation of church and state, was already in the courts. This was the McCollum 'released time' case which arose in Champaign, Illinois. This released time practice was a project chiefly initiated by Protestants who secured Roman Catholic and, for a time, some degree of Jewish cooperation. Under this scheme, public school time and thereby the facilities and authority of the civil law were made available to the churches for teaching religion to public school pupils while they were 'in school'—not merely in school buildings, but in the school system. The Supreme Court of the United States declared this practice unconstitutional. . . .

"Many Protestant churches accepted this decision as the law of the land and abandoned the released time

practice. Others sought means of conforming to the law by modifying certain technicalities without, however, completely severing connection with the public school. Thus the prestige and authority of the public school could still be utilized as an aid in recruiting pupils for church-administered religious instruction. It must be said to the shame of Protestantism that some continue to carry on the kind of released time specifically disallowed by the Supreme Court. . . .

"From the Roman Catholic side came an explosive reaction of resentment and resistance to the Supreme Court's ruling. Roman Catholic authorities had cooperated with Protestants in the released time project, and continue to cooperate in communities inadequately supplied with parochial schools. They have no deep interest in it as religious education. They have, however, a vital stake in the legal principle which it involved. If the courts would finally approve this minimum union of the churches and the civil law, represented by released time, the way would be opened for the hierarchy to press its ultimate claim for the parity of its parochial schools with the public schools, a parity which would entitle them to tax support. . . .

"... In the spring of 1949, Congressman Graham Barden of North Carolina introduced a straightforward bill for federal aid applicable to the 'current expenses' of public schools. For thirty years the hierarchy had been able to block such federal aid to public schools which ignored the Roman Catholic claim to a proportional share in the appropriation. The Barden bill aroused the wrath of New York's Cardinal Spellman, who publicly characterized its author as 'an apostle of bigotry' and then turned upon Mrs. Eleanor Roosevelt, who had come out strongly for the principle of public funds for public schools only. . . . he characterized her as 'anti-Catholic,' and her position as 'unworthy of an American mother.' The details of this vulgar episode are fresh in the public mind. We are here concerned only with the final statement of the cardinal designed to effect a reconciliation with Mrs. Roosevelt and submitted to her before its publication. In this statement he asserted that the Roman Catholic Church does not ask for any appropriation of public funds for general expenses of parochial schools, but only for a share in any appropri-

ation made for 'auxiliary services'—bus transportation, free textbooks, health services, etc.

"This assertion by Cardinal Spellman was so clearly contradictory of previous pronouncements and longstanding activities that it can only be interpreted as a means for extricating himself from an ugly predicament in which he had placed not only himself, but a distinguished lady in the United States. . . .

Vatican Ambassador

"... the issue hangs suspended like a sword of Damocles over the head of the American public.

"Both presidential candidates in the recent political campaign gave qualified answers to the inquiry as to their position on this question. The appointment of an ambassador under the deceptive title of the 'President's representative' is just as unconstitutional as a regular appointment confirmed by the Senate. But the Roman Catholic hierarchy to all appearances is determined to secure the involvement of our government with the papacy and to press its purpose upon the new President and the new Senate. . . .

"The purpose of the Constitution in severing organized religion from the jurisdiction and the official processes of the state was unquestionably to stand all religions on their own feet, to let them flourish or perish in accordance with their own inherent strength or weakness, unaided by political or other legal support. Virtually all non-Roman religious bodies in the United States have joined with POAU in protesting against an ambassadorship to the Vatican. . . . Our new President and Senate must be made aware that by yielding to this desire in violation of the Constitution they will be responsible for lighting the fires of bitter religious hostility which the separation of church and state was designed to prevent, and has prevented for a century and a half." (Signed)

E. McN. Poteat, President; C. C. Morrison, Vice-President; J. M. Dawson, Recording Secretary; L. D. Newton, Chairman of the Board; E. H. Dana, Member of the Board; H. C. Fitz, Member of the Board; E. E. Rogers, Member of the Board; C. W. Taylor, Member of the Board; F. C. Fowler, National Advisory Councilman; L. F. Stark, National Advisory Councilman; J. Windham, National Advisory Councilman.

'Visitor' Wants to Meet Church-State Unionists

The editors of *Our Sunday Visitor*—which calls itself "The Most Widely Circulated Catholic Weekly in the World"—declare in their January 25 issue: "We have never met a Catholic who would want union of Church and State in this country even though it could be achieved. We have never met anyone who does not believe in the necessity of the public school system for the one-half of the population in our country which is unaffiliated with any church and for the millions of Protestants who are not inclined to open schools of their own."

It would seem that introductions, then, are in order. Bishop Noll and his colleagues on the *Visitor* should without further delay make the acquaintance of Roman Catholic parochial school administrators in many communities who have accepted direct public tax support for their sectarian institutions. For instance:

—In Colorado, where District Judge George C. Twombly ruled that there was "no separation of Church and State" at St. Peter's school in the town of Fleming, although the school had been declared "public" by complaisant school board members.

—In Minnesota, where the state board of education withheld state funds from three schools in Morrison and Ottertail Counties because "the influence of denominational, religious symbols and texts, the distinctive doctrines, creeds, or tenets" of the Roman Catholic Church were paramount.

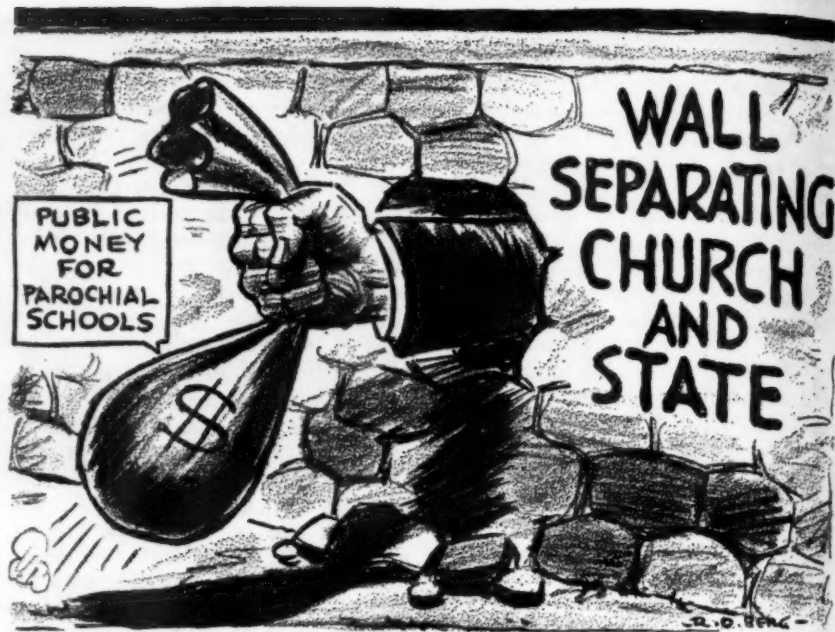
—In Michigan, where "overpayments" of state aid to the Lake Linden school district were recovered by the state superintendent of public instruction following discovery that parochial school pupils had been included in the district's report on the number of enrolled pupils.

—In Missouri, where direct state support of 25 parochial schools in 18 counties was ruled unconstitutional by Circuit Judge Emmett J. Crouse of St. Joseph.

—In Wisconsin, where direct state support of 14 parochial schools was withdrawn by the state schools superintendent after a taxpayers' group had filed formal complaint.

These examples could be multiplied. For every case brought to end sectarian misuse of public funds, there are a dozen other comparable situations which remain uncorrected.

BREAK-THROUGH



New York Health Agency Torn By Planned Parenthood Issue

The January protest resignation of Dr. I. Ogden Woodruff from his post as vice-president of the New York City Welfare and Health Council brought into the open a behind-the-scenes conflict which had resulted in the unpublicized ouster on December 22 of the Planned Parenthood Committee of Mothers' Health Centers from the Council in deference to Roman Catholic opposition. Msgr. James J. Lynch, director of Catholic Charities for the New York archdiocese, answered reporters' queries by saying that his church opposed "any violation of God's law," but Mrs. Philip Bastedo, board chairman of the Planned Parenthood Committee, declared that the exclusion of her group was "a wholly undemocratic and unwarranted procedure directed against a program which enjoys the approval of every other important religious group. . . ."

The Council resolution of December 22—made public only after Dr. Woodruff's resignation—began by affirming that "the program, policies, and services of Planned Parenthood are hereby approved as not being in-

consistent" with the Council's objectives, but concluded by declining the Parenthood group's application for membership because of the opposition of "a substantial minority of the board" and a threat by the Catholic Charities of the Dioceses of New York "to cancel their memberships" if Planned Parenthood were included. (The present Council, serving as a central coordinating agency for 370 public and private welfare and health organizations, is the successor to the old Health Council which represented 74 service organizations, including Planned Parenthood. Dr. Woodruff was the last president of the Health Council of Greater New York before it merged with the Welfare Council of New York City.) According to Dr. Woodruff, fifteen of the twenty board members voted approval of Planned Parenthood's program at their December meeting, yet a few minutes later at the same meeting only five were willing to vote acceptance of the group's application in the face of Roman Catholic pressure.

When news of the ouster became known, a resolution calling on the Council to hold a public hearing on the issue was drawn up and circulated. (Continued on next page)

The editors of *Our Sunday Visitor* should, therefore, lose no time in making the acquaintance of these and other Roman Catholic authorities who are actively seeking—and often obtaining—union of church and state at every conceivable point of contact (and all unbeknownst to the *Visitor's* editors!). If Bishop Noll and his colleagues on the *Visitor* desire, the editors of *Church and State* will be glad to perform the introductions for them.

CHURCH AND STATE

Seesaw Battles Rage On School Bus Issue

The question of whether or not parochial school pupils are "entitled" to free transportation on public school busses continues to be a bone of fierce contention in American communities.

Children living in Providence, R. I., but attending St. Matthew's Roman Catholic parochial school in nearby Cranston, have been granted free transportation by the Providence School Committee. Later, the Providence Hebrew Day School followed St. Matthew's example and also requested free transportation for pupils living more than a mile from the school. By contrast, the Providence Junior Academy, a Seventh-day Adventist institution, declined to seek the public boon out of regard for the principle of church-state separation. In Cranston itself, the School Committee had previously denied a request for free transportation of parochial pupils by a 5-4 vote, in spite of a legal opinion from the city solicitor that such free transportation was "mandatory" under state law. This opinion was disputed by Professor Zenas R. Bliss, dean of Brown University's engineering school and a Committee member, who argued that the legal phrase guaranteeing the "same rights and privileges" to all pupils should not be stretched to mean free transportation beyond the confines of the school district for the exclusive benefit of parochial school children.

In Indiana, Rep. Robert H. Menke of Huntingburg introduced a bill in January to permit public school busses to go as much as two miles off their regular routes to deliver children to parochial school doors. In the case of parochial schools which are more than two miles from the regular route, the bill provides for free transportation to the point most accessible to the church school. Present law allows for accommodation of parochial pupils only to points along the regular route. "Mr. Menke, a young furniture manufacturer who once was one of Indiana University's greatest basketball stars, is a Methodist," Religious News Service reports. "But he represents an area which has one of the state's greatest concentrations of Roman Catholics. . . ."

At Portland, Me., in December, Acting State Education Commissioner William O. Bailey retreated from an earlier statement (November) in which he had held that state funds could not be used for other than pub-

New York Planned Parenthood Issue

(Continued from preceding page)

lated among the eighteen clergymen serving as advisers to the Planned Parenthood Committee. Later, the Very Rev. James A. Pike, dean of the Cathedral of St. John the Divine and advisory committee chairman, declared from the pulpit that the Roman Catholic boycott threat was "a violation of the democratic process and the possibilities of cooperative community approach to social work." "It is not up to one group of social agencies to explore the ethical and theological presuppositions of another group as a condition to admission to a community-supported agency," he continued. "The Roman Catholic agencies live in a glass house if we are all going to start to throw stones on that basis. . . ."

Both Protestant and Jewish clergymen, as well as civic and social welfare leaders and members of the medical profession, were among those who joined in protesting the ban on the Planned Parenthood Committee. One statement was made on behalf of twenty members of the Citizens Committee for Planned Parenthood, and among the signatures were those of the Rev. Dr. Harry Emerson Fosdick, pastor emeritus of the Riverside Church, and Algernon D. Black, chairman of the board of leaders of the Ethical Culture Society. The Lutheran Welfare Council of Metropolitan New York declared that it "vigorously protests this coercive action of a religious bloc," while adding that its protest "is not to be construed as an expression of opinion on the merits or demerits of the planned parenthood movement."

lic purposes. By the time December rolled around, he had changed his tune, saying that he knew of no Maine statute specifically forbidding the transportation of parochial school pupils in public school busses. The issue was posed when the Rev. Albert C. Niles, a Universalist minister, questioned the use of public school busses on behalf of parochial school pupils in Auburn. Mayor Edward M. Fields then sought the opinion of City Solicitor Frank W. Linnell, who held that municipal funds could not be used for such a purpose. In spite of this, Transportation Chairman Joseph Curran of the local School Committee said the practice would continue. And Acting State Commissioner Bailey's latest

St. Francis Doctors Victors in Dispute

The administrators of St. Francis Roman Catholic Hospital in Poughkeepsie, N. Y., have surrendered in their dispute with seven staff physicians who were ordered a year ago to sever their connections with the local Planned Parenthood organization or leave the hospital (*Church and State*, March, 1952). Although four of the seven physicians flatly refused to comply with the order, all seven have obtained renewal of their staff privileges for the year 1953. Two of the three who resigned from the Planned Parenthood League in order to protect their patients' interests last year have indicated that they will resume their support of the movement regardless of the Roman Catholic Church's condemnation of it.

The four physicians who refused to resign were Dr. Albert A. Rosenberg, Dr. E. Gordon Mackenzie, Dr. William W. Bennett, and Dr. Florence Gottdiener. Dr. John F. Rogers, one of those who did resign, says he will renew his Planned Parenthood affiliation "only by contributing to the financial support of the movement." Dr. Paul Lass has renewed his affiliation, "sympathizes with [the League's] objectives, and will continue to support it with contributions of time and money." Dr. Martin Leiser has made no comment as of this writing.

According to Dr. Rogers, the hospital administration capitulated after it became apparent that the physicians of the area were in a mood "to precipitate mass withdrawals from the hospital staff if the hospital had failed to renew the privileges for any one."

When the dispute arose last year, POAU Executive Director Glenn L. Archer declared in a letter to hospital officials that they had taken "arbitrary action abridging the rights of both physicians and the public," and suggested that since St. Francis Hospital had received federal aid funds contributed by taxpayers of all religions and creeds, it should either return the federal funds or cease placing Roman Catholic medical code limitations on non-Catholic physicians and patients.

Our Heritage of Religious Liberty, an article by POAU Board Chairman Louie D. Newton, is now available for distribution.

opinion has given aid and comfort to Curran's position.

Conant Smeared, Says J. M. Dawson

Roman Catholic publications spearheading a barrage of assaults on Dr. James Bryant Conant, recently appointed United States High Commissioner to Germany by President Eisenhower, were rebuked recently for "misconstruing" the facts, by Dr. Joseph M. Dawson, executive director of the Baptist Joint Committee on Public Affairs and recording secretary of POAU.

"A campaign through the church press, mail to Senators, and other media against . . . Dr. Conant . . . should be analyzed for what it really is," Dr. Dawson told a Senate subcommittee. "Any reading of the speech of the Harvard president on national unity made last April before the American Association of School Administrators will convince the reader that it has been continuously misconstrued by the minority group now opposing Dr. Conant. It is asserted by this group that Dr. Conant attacked private and parochial schools, whereas he cordially recognized the right of such schools to exist as determined by the U. S. Supreme Court in the famous Oregon case of 1926. [This is also made abundantly clear in Dr. Conant's new book, *Education and Liberty*, Harvard University Press, \$3.00.—*Editor's note.*]

"Dr. Conant contended that a dual system of schools supported out of tax funds, as obtains in Australia, is offensive to American majority opinion and violative of our country's system. If followed, it would undoubtedly make for national disunity. . . . If this divisive issue is now permitted to decide action on Dr. Conant's confirmation, it will be pecu-

Minnesota Expands Censorship Plan

(Continued from page 4)

seek voluntary compliance, but critics of the law say that officials fear to prosecute because they know that in a court test the ordinances would be declared unconstitutional. Dr. Lewis Smith, English instructor at the St. Cloud state teachers college, believes the ordinance should be rewritten so that it will be directed only at keeping "bad" literature out of the hands of juveniles. Arnold Paulson, president of the Minnesota Junior Chamber of Commerce, reports that his organization has been approached by Roman Catholic leaders in several areas with a suggestion that the "Jaycees" support the censorship campaign, but adds that the organization has declined because it does not wish to jeopardize freedom of the press.

larly unfortunate, since it would mean sectarian interest would control appointment to public office."

The Washington Post, in an editorial on the Conant nomination, said that the opposition to his confirmation was "a naked reprisal for views he expressed recently regarding the role of private schools in the American educational system and regarding the importance of intellectual freedom. . . . [His opinions on these subjects have] no relevance whatever to his fitness for the post to which President Eisenhower has assigned him in Germany. . . .

"There is extraordinary need for Dr. Conant's assumption of his duties as speedily as possible. Germany is a vital outpost, peculiarly important at the present time because of the turmoil arising out of Soviet resort to Nazi anti-Semitism in the eastern

Mayne Addresses New York Groups

Taking as his subject, "Religious Liberty and the American Way," POAU Organization Director John C. Mayne spoke in New York City recently before the Sunday Evening Society of the First Presbyterian Church, at a supper meeting of young adults. "Religious liberty in the greater New York area is threatened by certain sectarian groups which would use both the public schools and the structure of civil government to advance their aims," declared the speaker.

Mr. Mayne also spoke in Queens before the Young Adult Fellowship of the Jackson Heights Community Church. More than one hundred members and friends of the Fellowship heard the address and participated in the open forum following the speech.

The meetings were arranged by Mrs. Virginia Crews of POAU's New York office and advisory committee members in the area.

zone. . . . Chancellor Adenauer has made a public appeal that the vacant High Commissionership be filled with the minimum delay. Dr. Conant has outstanding qualities for meeting this situation—the prestige of his academic attainments, the breadth of his background in international affairs, the judicial cast of his mind. This is no time to make him the target of bigotry. . . ."

Plea for Wisdom

"I agree with President James B. Conant, former chairman of the Educational Policies Commission, that both private and denominational schools have a constitutional right to exist. Further, I think both private and public schools provide each other stimuli to better performance. . . .

"The right to do something and the wisdom of doing it are not identical. Lutherans, Catholics, Methodists, Baptists, Episcopalians, and Congregationalists, for example, have the right to establish their own schools from nursery school through the graduate school, or, speaking more practically, for the twelve grades prior to college. Yet I would regret to see the day come when the last Lutheran, Catholic, Presbyterian, Methodist, Baptist, Episcopalian, and Congregationalist disappeared from the public schools. . . . Henry H. Hill, prominent educator, in report to 90th annual meeting of the National Education Association, as printed in the October "Atlantic."

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